

Regular Meeting Minutes

Hyde County Board of Commissioners

Monday, June 3, 2019

Following a 5:30 p.m. reception (by Soil & Water) in memory of Swan Quarter Watershed Steering Committee members Billy Williams and Blythe Davis; opening prayer by Commissioner Simmons; and, Pledge of Allegiance, Chairman Pugh called the Regular Meeting of the Hyde County Board of Commissioners to order at 6:15p.m., on Monday, June 3, 2019 in the Hyde County Government Center Multi-Use Room and the Ocracoke Community Center using electronic conferencing equipment.

The following members were present on the mainland: Chairman Earl Pugh, Jr.; Commissioners Ben Simmons, Shannon Swindell and James Topping; County Manager Kris Cahoon Noble; Attorney Franz Holscher; Clerk to the Board Lois Stotesberry and members of the public.

Vice-Chairman Tom Pahl and members of the public were present on Ocracoke.

Emergency Services Director Justin Gibbs ran the electronic conferencing equipment on the Mainland and Teresa Adams ran the electronic conferencing equipment on Ocracoke.

CONSIDERATION OF AGENDA:

Commissioner Simmons moved to approve the Monday, June 3, 2019 Meeting Agenda as presented by the Clerk with addition of Presentation No. 5 – “Hurricane Florence Recovery Efforts” by Trillium Resources and No. 6 – “Mattamuskeet Association Project” by Daniel Brinn; addition of Management Report – Resolution to Support Healthcare in Eastern North Carolina by Manager Noble and Special Budget Workshop Meeting Minutes tabled. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

CONSIDERATION OF MINUTES:

June 3, 2019 – Regular Meeting Minutes

Commissioner Swindell moved to approve the Monday, May 6, 2019 Regular Meeting Minutes as presented by the Clerk. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

PUBLIC HEARING:

Fiscal Year 2019-2020 Hyde County Budget

Commissioner Simmons moved to open public hearing to receive citizen questions and/or comments on the proposed FY2019-2020 Hyde County Budget. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

Rita Fields, Ocracoke – requests appropriation of funds to be used to reinstate a part-time animal control officer in Hyde County. Ms. Fields reported she plans to discuss a leash law at the July 1, 2019 commissioners meeting.

Connie Leinbach, Ocracoke – requested more frequent solid waste pick-up for the Island. Ms. Leinbach asked why the solid waste budget has gone up by only \$15,000.

Tom Pahl, Ocracoke – (on behalf of Linda Scarborough) discussed the solid waste budget, income from recycling, construction debris disposal, cost and purpose for the county lobbyist, land transfers, EMS budget and inadequate fund balance.

John Fletcher, Ocracoke – requests no new taxes.

County Manager Kris Cahoon Noble will meet with Connie Leinbach and Linda Scarborough this week on Ocracoke to discuss their FY2019-2020 Hyde County Budget concerns.

Commissioner Simmons moved to close public hearing on the proposed FY2019-2020 Hyde County Budget. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

PRESENTATIONS:

Plaques In Memory of Billy Williams and Blythe Davis

County Manager Kris Cahoon Noble presented plaques in memory of William (Billy) Farrow Williams and Calvin Blythe Davis to the Board of Commissioners and to Mr. Williams' and Mr. Davis' family for their service to the Swan Quarter Watershed Committee. The County will publically display the plaques in a prominent location in the Hyde County Government Center.

Commissioner Swindell moved to adopt Resolution Honoring the Memory of William (Billy) Farrow Williams. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Resolution Honoring the Memory of William (Billy) Farrow Williams" is attached herewith as Exhibit A and incorporated herein by reference.

Commissioner Simmons moved to adopt Resolution Honoring the Memory of Calvin Blythe Davis. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Resolution Honoring the Memory of Calvin Blythe Davis" is attached herewith as Exhibit B and incorporated herein by reference.

Recommendation for Engineering Services – Hyde County HMGP Irene Rescopement and FY15 FMA

Chris Hilbert, PE, reported that on Tuesday, May 28 he and Garry Miller of Holland Consulting Planners, Inc. conducted a bid opening meeting at the Hyde County Government Center. The meeting was held to solicit bids for engineering services for the Hyde County HMGP Irene Rescopement and FY15 FMA reconstruction projects. Three contractors submitted bids: B&B Construction; Gilbert Everett Builders; and, Paul Woolard Construction. The lowest bid was submitted by B&B Construction.

Commissioner Pahl moved to award the Contract for Engineering Services – Hyde County HMGP Irene Rescopement and FY15 FMA projects to B&B Construction. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

TR-407 Daily Distribution Tax Report

Tax Administrator Linda Basnight presented the May 2019 Daily Distribution Tax Report.

Commissioner Simmons moved to approve the TR-407 Report as presented by Ms. Basnight. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

Hurricane Florence Recovery Efforts

Christie Edwards, VP Clinical Operations and Dave Peterson, Executive VP Central Regional Director of Trillium Resources, presented "Trillium Behavioral Health Community Response Hurricane Florence". Trillium's region extends from Brunswick County to Virginia covering more than 300 miles of North Carolina coastline. Trillium's goal during Hurricane Florence was to work to ensure citizens did not experience disruption in medication or services, while also assisting with basic needs following the devastation caused by Hurricane Florence. Trillium initiated emergency operations on September 10th and provided ongoing assistance to individuals experiencing anxiety, post-traumatic stress, or other issues as a result of Hurricane Florence. Local assistance and the state's Back @ HomeNC and Hope4NC programs were also initiated.

Mattamuskeet Association Project

Daniel Brinn, Water and Flood Control Coordinator, presented update on the Mattamuskeet Association Project. The Association has raised \$120,000.00 and plans to request a loan for \$404,000.00 for the project from Tideland EMC. Funds will pass through Hyde County Finance. At next Tideland EMC meeting request for the loan will be presented. If a loan is approved, the project will be brought back to the Board of Commissioners at its June 24 meeting.

PUBLIC COMMENT:

Chuck Payne, Ocracoke – requested update on the new County flood maps.
Hearing no further comment from the public, Chairman Pugh continued the meeting.

ITEMS OF CONSIDERATION:

Resolution In Opposition To Petition For Rulemaking To Amend 15A ADMIN. CODE 3L .0101, 3L .0103, 3L .0104 To Designate Special Secondary Nursery Areas And Reduce Bycatch Mortality In North Carolina Coastal Fishing Waters As Presented By The North Carolina Wildlife Federation

County Manager Kris Cahoon Noble presented resolution in opposition to changes proposed for the shrimping industry by the NC Wildlife Federation.

Commissioner Pahl moved to adopt Resolution In Opposition To Petition for Rulemaking To Amend 15A Admin. Code 3L .0101, 3L .0103, 3L .0104 To Designate Special Secondary Nursery Areas And Reduce Bycatch Mortality In North Carolina Coastal Fishing Waters As Presented By The North Carolina Wildlife Federation. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Resolution In Opposition To Petition For Rulemaking To Amend 15A ADMIN. CODE 3L .0101, 3L .0103, 3L .0104 To Designate Special Secondary Nursery Areas And Reduce Bycatch Mortality In North Carolina Coastal Fishing Waters As Presented By The North Carolina Wildlife Federation" is attached herewith as Exhibit C and incorporated herein by reference.

Resolution Against Southern Flounder Amendment 2 And The North Carolina Division Of Marine Fisheries Recommendation To The North Carolina Marine Fisheries Commission

County Manager Kris Cahoon Noble recommended that Amendment A and the current NC DMF recommendation to the Marine Fisheries Commission be voted against and that the two entities work to find a compromise that will rebuild the southern flounder stocks and end overfishing without destroying fishing families, fishing communities and the seafood infrastructure needed to get seafood to market in and outside of North Carolina.

Commissioner Pahl moved to adopt Resolution Against Southern Flounder Amendment 2 and The North Carolina Division Of Marine Fisheries Recommended To The North Carolina Marine Fisheries Commission. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Resolution Against Southern Flounder Amendment 2 and The North Carolina Division Of Marine Fisheries Recommended To The North Carolina Marine Fisheries Commission" is attached herewith as Exhibit D and incorporated herein by reference.

Resolution Appointing Map Review Officers

County Manager Kris Cahoon Noble requested approval for a resolution officially appointing map review officers for Hyde County.

Commissioner Swindell moved to adopt Resolution Appointing County Manager Kris Cahoon Noble, Emergency Manager Justin Gibbs, and Inspections Permit Officer Jane Hodges as Review Officers for Hyde County. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

Clerk's Note: A copy of "Resolution Appointing Map Review Officers" is attached herewith as Exhibit E and incorporated herein by reference.

Amendment To The By-Laws of The Hyde County Airport

Jane Hodges, Inspections Permit Officer/ Airport Manager, presented request for reduction in board members from 7 to 5 because of the difficulty of obtaining a quorum.

Commissioner Simmons moved to reduce the number of Airport Board members from 7 to 5. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

Jane Hodges, Inspections Permit Officer/ Airport Manager, requested reappointment of Airport Board members Wilson Daughtry, Jo Ann Spencer, and Art Keeney to another 3 year term.

Commissioner Simmons moved to reappoint Wilson Daughtry, Jo Anne Spencer and Art Keeney to serve another three (3) year term on the Hyde County Airport Board. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

Appointment to The Jury Commission

County Manager Kris Cahoon Noble recommended the current vacancy on the Hyde County Jury Commission be filled by Ms. Minnie Farrow of Swan Quarter.

Commissioner Simmons moved to appoint Minnie Farrow to serve on the Hyde County Jury Commission. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

Fireworks Permit Application Approval

Justin Gibbs, Emergency Manager, requested approval of the Pyrotecnico Fireworks Display Permit Application for the July 3rd Independence Day fireworks display at 19 Water Plant Road on Ocracoke Island.

Commissioner Pahl requested written clarification of the Fireworks Permit Application from the Fire Marshal and moved to approve the PYROTECNICO FIREWORKS DISPLAY PERMIT APPLICATION as presented. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

DHHS/DSS Written Agreement

Laurie Potter, DSS Director, reported Session Law 2017-41 requires all counties to enter into an annual agreement with the Department of Health and Human Services for all social services programs excluding medical assistance (Medicaid). The law requires that agreement to contain certain performance requirements and administrative responsibilities related to the social services programs.

Commissioner Swindell moved to approve the Memorandum of Understanding (Fiscal Year 2019-2020) Between the North Carolina Department of Health and Human Services and Hyde County. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

Bench Sponsorship Update

County Manager Kris Cahoon Noble reported Margie Brooks is heading up the Hyde Bell project and the sponsorship for dedication benches to be located with the bell located in-between the Hyde County Government Center and MATTIE Arts Center. Ms. Brooks has reported that the bench sponsorship fund-raising is going very well, so well in fact, that it appears that there will be a potential for more than the original four (4) benches that are part of the project. At the present time, it is just one (1) additional bench, but it is anticipated that there will be more. She is asking for approval to install additional benches over and above the original four (4) to be located on the project site, the preferred location of the benches, and consideration of at least two (2) additional benches mounted under the portico of the government center.

Commissioner Swindell moved to approve installation of one or more additional benches to be located on the project site mounted under the portico of the government center. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

Proposed New Job Description: Codes Enforcement/Maintenance Director

County Manager Kris Cahoon Noble presented a proposed job description for the combined positions of Codes Enforcement/Maintenance Director. Manager Noble discussed the duties and responsibilities, physical requirements, licensure requirements, and special requirements of the class. She reported Building Inspector Contestable will continue working for Hyde County while the new director is training. Ms. Noble will present the Fire Marshal contract on June 24.

Commissioner Swindell moved to approve the Codes Enforcement/Maintenance Director job (salary grade 72) description as presented. Commissioner Pahl seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

Request for Office Closure on July 5th

County Manager Kris Cahoon Noble requested the county offices be closed on Friday, July 5 in addition to the Thursday, July 4th holiday.

Commissioner Pahl moved to approve closing County Offices on Friday, July 5th. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

Tax Advertisements

Justin Gibbs, Emergency Manager, requested authorization to advertise delinquent 2018 tax liens.

Commissioner Simmons moved to authorize advertisement of delinquent 2018 tax liens. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Simmons, Swindell and Topping; Nays – Pahl; Absent or not voting – None.

Budget Revisions:

Hyde Soil & Water

Public Education – RCW Student to NCSU \$ 700.00

Department of Social Services

Emergency Foster Care \$ 4,000.00

Cost of Space \$10,000.00

Equipment for Medicaid \$20,000.00

Cost of Space \$10,000.00

Social Services Administration Salaries \$ 20.00

Social Services Administration Retirement \$ 50.00

Social Services Administration Retirement \$ 50.00

Homemaker \$ 6,000.00

Commissioner Swindell moved to approve the S&W and Department of Social Services budget transfers as presented. Commissioner Simmons seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

Management Reports

Chairman Pugh – attended the Soil & Water District meeting, Chamber of Commerce, Albemarle Commission and met with Dave Peterson of Trillium.

Vice-chairman Pahl – attended budget meetings and the OCBA, waterways commission OTTDA meeting. Mr. Pahl met with the Davis Center Board of Directors and attended the road marker unveiling in Swan Quarter. He reported the Passenger Ferry has reduced wait time and trams are being used successfully on Ocracoke. He recommended Commissioners cautiously investigate and consider wind energy. He will continue discussion on wind energy at the July meeting.

Commissioner Swindell – attended the Chamber of Commerce dinner where representatives from Representatives Tillis and Byrd offices, Tideland EMC and RiverStreet Networks discussed Broadband. He also attended budget meetings.

Commissioner Simmons – attended budget meetings and his son's graduation at PCA.

Commissioner Topping – attended the Chamber of Commerce dinner and Mattamuskeet Lodge.

Justin Gibbs, EM Director (at the request of Commissioner Topping) presented report on recent drug overdose EMS calls at Hyde Correctional Institution. Mr. Gibbs will continue meeting with regional supervisors to combat this epidemic.

County Manager Kris Cahoon Noble – presented update on projects and activities attended during the month. Ms. Noble's calendar was provided for the month of April, 2019.

Ms. Noble reported Ocracoke EMS is now located on Back Street and the new Ocracoke EMS Station project has restarted. She discussed Broadband communications and reported the Ocracoke Fireman's Ball was successful. She reported Chase Luker has resigned the position of Chairman on the Mainland Migratory Wild Waterfowl Advisory Committee. She also introduced the healthcare for ENC resolution.

Commissioner Swindell moved to appoint Donnie Shumate, IT Director as public information officer/record keeper for the Mainland Migratory Wild Waterfowl Advisory Committee. Chairman Pugh seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons and Swindell; Nays – None; Absent or not voting – Topping.

Commissioner Pahl moved to adopt "Healthcare for Eastern North Carolina Resolution In Support of Healthcare for Eastern North Carolina and Funding for Vidant Health". Commissioner Swindell seconded the motion. The motion

passed on the following vote: Ayes – Pugh, Pahl, Simmons and Swindell; Nays – Topping; Absent or not voting – None.

Clerk's Note: A copy of "Healthcare for Eastern North Carolina Resolution In Support of Healthcare for Eastern North Carolina and Funding for Vidant Health" is attached herewith as Exhibit F and incorporated herein by reference.

Ms. Noble discussed future plans for Ocracoke Childcare. She reported Consultant Bill Rich escorted Governor Cooper's wife and daughter to the Plaque dedication in Swan Quarter and a tour of Mattamuskeet Lodge. She reported that she and Finance Officer Corrinne Gibbs met with representatives from the North Carolina Local Government Commission (LGC) today and reported they were impressed with Hyde County records and bookkeeping.

Public Comment

Connie Leinbach, Ocracoke – reported the deadline to submit the Flounder Resolution is tonight.

Justin Gibbs, Emergency Manager, reported Commissioners were included in correspondence sent to Mr. Covak.

Hearing no comment from the public, Chairman Pugh continued the meeting.

Closed Session (none)

Adjourn

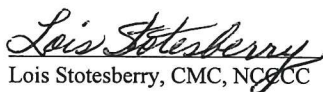
Commissioner Simmons moved to adjourn the meeting. Commissioner Swindell seconded the motion. The motion passed on the following vote: Ayes – Pugh, Pahl, Simmons, Swindell and Topping; Nays – None; Absent or not voting – None.

The meeting adjourned at 8:30p.m.

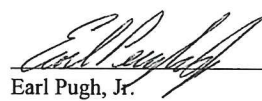
Respectfully submitted:

Minutes approved on the 1st day of July, 2019.

Attest:


Lois Stotesberry, CMC, NC&CC

Clerk, Hyde County Board of Commissioners


Earl Pugh, Jr.

Chair, Hyde County Board of Commissioners



Attachments

Exhibit A: "Resolution Honoring the Memory of William (Billy) Farrow Williams"

Exhibit B: "Resolution Honoring the Memory of Calvin Blythe Davis"

Exhibit C: "Resolution In Opposition To Petition for Rulemaking To Amend 15A ADMIN. CODE 3L .0101, 3L .0103, 3L .0104 To Designate Special Secondary Nursery Areas And Reduce Bycatch Mortality In North Carolina Coastal Fishing Waters As Presented By The North Carolina Wildlife Federation"

Exhibit D: "Resolution Against Southern Flounder Amendment 2 And The North Carolina Division Of Marine Fisheries Recommended To The North Carolina Marine Fisheries Commission"

Exhibit E: "Resolution Appointing Map Review Officers"

Exhibit F: "Healthcare for Eastern North Carolina Resolution In Support of Healthcare for Eastern North Carolina and Funding for Vidant Health"

Board of Commissioners

Earl Pugh, Jr., Chair
Tom Pahl, Vice-Chair
Benjamin Simmons, III
Shannon Swindell
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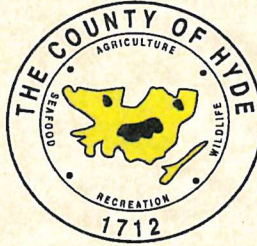
COUNTY OF HYDE

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252-926-3701 Fax

Kris Cahoon Noble
County Manager

Franz Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



RESOLUTION HONORING WILLIAM (BILLY) FARROW WILLIAMS

June 3, 2019

WHEREAS, Mr. William (Billy) Farrow Williams, was born in Hyde County on January 17, 1929 in Swan Quarter, North Carolina to Effron Avery and Lucy Lee Farrow Williams.

WHEREAS, Billy grew up in Swan Quarter and graduated from Swan Quarter High School in 1947, and then graduated from East Carolina Teacher's College with a degree in Music Education and the Air Force ROTC program in 1953 and was commissioned second lieutenant.

WHEREAS, Billy served in the Air Force for 20 years as a radar officer and helicopter pilot and retired from service in September, 1973. He married Ellen Louise Amidon on April 29, 1967. After retirement, they made their home in Swan Quarter and raised two sons.

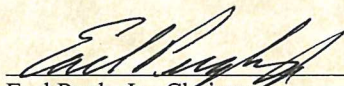
WHEREAS, upon his retirement, Billy served the citizens of Hyde County as a County Commissioner, Chairman of the Hyde County Board of Elections, Weigh Master for Farm Bureau Hog Market, President of Eastern Carolina Health System Agency, Chairman of Hyde County Rural Health, Contract Officer of the Hyde County Dike Project, and a member of the Hyde County Airport Board.

WHEREAS, Billy was part of a group of landowners that approached the Board of Commissioners and the Pamlico Soil & Water Conservation District (now known as the Hyde Soil & Water Conservation District) about the need for a dike on West, Quarter, Double & Bay.

WHEREAS, Billy played an instrumental part in the pursuit of securing a protective dike around the Swan Quarter community and was a member of the Swan Quarter Watershed Steering Committee from May 18, 1981 to his death on May 3, 2019, a total of 38 years. He worked tirelessly with other landowners to make the dike project a reality prior to 1981 and all throughout his service on the Swan Quarter Watershed Steering Committee.

NOW, THEREFORE, BE IT RESOLVED, that William (Billy) Farrow Williams was an outstanding citizen of Hyde County and will be sorely missed by his family, friends, associates, fellow board members, and the Swan Quarter Watershed Steering Committee.

Adopted this the 3rd day of June, 2019.


Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners


Lois Stotesberry, Clerk to the Board
Hyde County Board of Commissioners



Board of Commissioners

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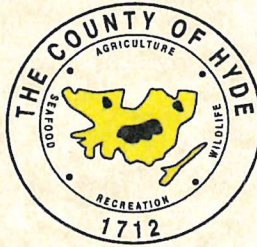
COUNTY OF HYDE

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Kris Cahoon Noble
County Manager

Franz Holscher
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Clerk to the Board



RESOLUTION HONORING CALVIN BLYTHE DAVIS

June 3, 2019

WHEREAS, Mr. Calvin Blythe Davis was born in Washington, North Carolina, Beaufort County on May 1, 1955 to George Thomas Davis, Sr. and Alma Lee Cathey Davis.

WHEREAS, Blythe was raised Swan Quarter and attended the Christ School in Arden, graduating in 1973. He earned his undergraduate degree from North Carolina State University in 1977. He married the former Kelly Nagel in 1984 and they made their home in Swan Quarter and raised two children.


WHEREAS, Blythe made his livelihood in Hyde County farming his family lands. Blythe loved Hyde County, its rich farmland, and beautiful wildlands. He was fond of birds and bird dogs, salvage sales, and using his hands and creativity to craft custom farm tools, cabinetry, and his home.

WHEREAS, Blythe was appointed to the Swan Quarter Steering Committee on October 6, 2008 to replace his mother, Alma Lee Davis due to failing health.

WHEREAS, Blythe served on the Swan Quarter Steering Committee until his untimely death on June 5, 2018, and was an active and valuable member of the committee.

NOW, THEREFORE, BE IT RESOLVED, that Calvin Blythe Davis was an outstanding citizen of Hyde County and will be sorely missed by his family, friends, associates, fellow board members, and the Swan Quarter Watershed Steering Committee.

Adopted this the 3rd day of June, 2019.


Earl Pugh, Jr., Chairman

Hyde County Board of Commissioners


Lois Stotesberry, Clerk to the Board
Hyde County Board of Commissioners

**RESOLUTION IN OPPOSITION TO PETITION FOR RULEMAKING TO AMEND 15A
ADMIN. CODE 3L .0101, 3L .0103, 3J .0104 and to Add 3R .0119 TO DESIGNATE SPECIAL
SECONDARY NURSERY AREAS AND REDUCE BYCATCH MORTALITY IN NORTH
CAROLINA COASTAL FISHING WATERS AS PRESENTED BY THE NORTH CAROLINA
WILDLIFE FEDERATION**

June 3, 2019

WHEREAS, The North Carolina Wildlife Federation has filed a Petition for Rulemaking Pursuant to N.C. Gen. Stat. & 150B-20 and 15A N.C. Admin. Code 3P .0301 to amend 15A N.C. Admin Code 3J .0104, 3L .0101, 3L .0103 & To Add 15A N.C. Admin. Code 3R.0119;

WHEREAS, Hyde County strives to promote and ensure the viability and sustainability of North Carolina's valuable fisheries resources for all citizens including consumers demanding fresh North Carolina seafood;

WHEREAS, Hyde County strongly supports this resolution against rulemaking that proposes reclassifying internal coastal waters as secondary nursery areas and closes them to shrimp trawling; establishes criteria for the opening of shrimp season in Shrimp Trawl Management Areas; prohibit shrimp trawling in all Shrimp Trawl Management Areas on Tuesdays and Thursdays; and restricts headrope length for shrimp trawls in Shrimp Trawl Management Areas;

WHEREAS, Hyde County has a 300 year history of commercial fishing in Pamlico Sound and relies greatly on commercial fishing as their second largest industry supporting the Hyde County economy;

WHEREAS, hundreds of people in Hyde County rely on shrimp trawling to support their families, surrounding businesses, communities and the local economy. Hyde County's shrimp fishermen are small, family-owned, independent businesses that sell to seafood dealers that seasonally employ hundreds more and whose expenditures spread through the communities in Hyde County;

WHEREAS, trawl effects greatly depend on the design of the gear, intensity of use and location used. The largest proportion of the bottom of the Pamlico Sound is soft, muddy bottom or soft, sandy bottom, where shrimp trawls and their doors have not been found to be highly destructive;

WHEREAS, D. Corbett et al. 2004, found that shrimp trawl effects on the bottom found in most of the Pamlico Sound have been described by scientists as similar to harsh winter storms with short term impacts;

WHEREAS, R.A. Deehr 2012, found that scientists have found that trawling disturbance can stimulate an increase in population numbers of bottom invertebrates and that predators of those invertebrates were more common in areas not open to trawling;

WHEREAS, trawls are designed to be selective for target species by modifying the mesh size, modifying the design, and speed of tow and shrimp trawls in North Carolina are required to use finfish excluders to allow small fish to escape;

WHEREAS, according to Harrington, D.L. and R.A. Vendetti in 1996, as much as 70% of the juvenile finfish are excluded with finfish excluders and North Carolina was the first state to require finfish excluders in shrimp trawls in its internal waters;

WHEREAS, shrimp trawlers are also required to use Turtle Excluder Devices (TEDs) to allow sea turtles to escape and scientists have documented that TEDs exclude significant amounts of juvenile finfish;

WHEREAS, the Albemarle-Pamlico Sound, which is the largest brackish water body in any one state in the United States of America, is unique in its characteristics and cannot be compared to water bodies in other states;

WHEREAS, Pamlico Sound is one of the few water bodies that support commercial quantities of pink, white and brown shrimp in the south Atlantic;

WHEREAS, North Carolina is the only state that has formally designated nursery areas for juvenile fish, shrimp and crabs. All bottom-disturbing fishing gear is prohibited in these areas, including shrimp trawls and has been prohibited for over 35 years. The greatest majority of bays and creeks of western and northern Pamlico Sound are classified as secondary nursery areas to protect these populations;

WHEREAS, 124,000 acres of estuarine areas are classified as primary or secondary nursery areas. An additional 47,000 acres of brackish waters are classified as special secondary nursery areas. These areas are closed to trawling, but may be opened when the majority of juvenile fish have migrated from the areas. In 2006 almost 92,000 acres in the Pamlico, Pungo and Neuse Rivers were closed to shrimp trawling as part of the North Carolina Shrimp Fisheries Management Plan. In total almost 1,000,000 acres of internal coastal waters are closed to trawling in North Carolina representing approximately 48% of the total;

WHEREAS, North Carolina has not allowed trawling in Albemarle Sound since 1987. North Carolina closed extensive areas of submerged aquatic vegetation located on the eastern shore of the Outer Banks from Oregon Inlet to the mouth of Core Sound to shrimp trawling in 1994. These areas serve as nurseries for juvenile fish and shrimp;

WHEREAS, shrimp trawl fishermen try to fish in areas that maximize shrimp catch and minimize finfish bycatch. High amounts of finfish bycatch increase fuel costs and labor costs in addition to decreasing the economic quality of the shrimp caught. Shrimp trawl fishermen currently avoid high amounts of bycatch at every opportunity;

WHEREAS, characterizing bycatch in the North Carolina shrimp trawl fishery is difficult due to factors including but not limited to distribution of the bycatch species, variation in fishing effort, variations in gear, the seasonality of the fishery, and mortality of the bycatch species. The Director of the North Carolina Division of Marine Fisheries recognized in August of 2013 that 4.5 lbs. of fish per lb. of shrimp is "not a good estimate" and is "not the appropriate way to characterize bycatch";

WHEREAS, the variation of the amount of finfish to shrimp in a shrimp trawl is tremendous. Scientists studying bycatch in North Carolina have cautioned that finfish/shrimp ratios tend to overestimate bycatch;

WHEREAS, survival rates of discarded finfish from the shrimp trawl catches are also difficult to accurately calculate. Survival rates are greatly influenced by trawl tow times, water temperatures, catch volumes, and the time it takes to cull the fish. Studies have shown that creatures of the ecosystem where the shrimp are caught do consume large quantities of the discarded finfish that die. Blue Crabs and other benthic invertebrates, birds and bottlenose dolphins all consume discarded finfish;

WHEREAS, North Carolina is recognized by other states and the federal government as having one of the best fisheries data collection programs in the country. Since 1978, North Carolina has been

collecting detailed biological data on spot, Atlantic croaker, and gray trout; species most common in shrimp trawl bycatch. Data collected by the North Carolina Division of Marine Fisheries is used to assess population levels and to identify sources of fishing mortality;

WHEREAS, the 2010 Atlantic Croaker Stock Assessment Report for Peer Review, prepared by the Atlantic States Marine Fisheries Commission, states that in a 2010 stock assessment of Atlantic croaker, that while there was too much uncertainty in the models to precisely determine if the population was overfished, scientists state it is unlikely the stock is overfished based on other population data;

WHEREAS, spot are not classified as overfished but are classified as concerned by the North Carolina Division of Marine Fisheries, primarily based on landings. However, scientists recognize it is very difficult to determine population status from landings data;

WHEREAS, the Atlantic States Marine Fisheries Commission found in their Weakfish Stock Assessment Report in 2009 that there is little evidence that overfishing is occurring on weakfish and they believe other factors besides fishing are causing the weakfish stock decline;

WHEREAS, federal scientists in the 2005 South Atlantic Shrimp FMP found that while reviewing the stock status of weakfish, spot and Atlantic croaker, they could find no evidence to indicate that the mortality of shrimp trawls with TEDs was having a significant adverse effect on those populations;

WHEREAS, North Carolina has produced a fishery management plan for shrimp and other species. In addition, the federal government has developed a FMP for shrimp in the south Atlantic, with numerous amendments. None of these plans, amendments, or addendums has recommended a ban on inside shrimp trawling in North Carolina to ensure sustainability of these fisheries resources;

WHEREAS, prohibiting shrimp trawling on Tuesdays and Thursdays has no scientific basis and will greatly impede fishermen, drive up costs, increase fuel consumption and further drive fishermen out of the shrimp fishery;

NOW, THEREFORE, BE IT RESOLVED that rulemaking reclassifying most internal coastal waters as special secondary nursery areas is not needed to improve fisheries management. The proposed reclassification will have a devastating impact on commercial fishing families and coastal fishing communities. The proposed reclassification will eliminate the availability to consumers of North Carolina harvested shrimp; a public resource to North Carolina residents, tourists, restaurants, and seafood retail.

NOW, THEREFORE, BE IT FURTHER RESOLVED that on behalf of the citizens of Hyde County, the Hyde County Board of Commissioners strongly urge the North Carolina Marine Fisheries Commission to reject the proposed rule petition. Copies of this resolution in opposition to rule making that proposes reclassifying most internal coastal waters as secondary nursery areas will be forwarded to the Honorable Roy Cooper, NC Governor Elect, Nancy Fish, NCDMF Commission Liaison, the Hyde County Legislative Delegation to the North Carolina General Assembly and each county in the great state of North Carolina.

Adopted this the 3rd day of June, 2019, in Hyde County, North Carolina.



SIGNATURE OF BOARD CHAIR

ATTEST: *Leis Statesberry*
CLERK TO THE BOARD



Board of Commissioners

Earl Pugh, Jr., Chair
Tom Pahl, Vice-Chair
Benjamin Simmons, III
Shannon Swindell
James Topping

COUNTY OF HYDE

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PO Box 188
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Kris Cahoon Noble
County Manager

Franz Holscher
County Attorney

Lois Stotesberry, CMC, NCCCC
Clerk to the Board



**RESOLUTION Against Southern Flounder Amendment 2 and the North Carolina Division of Marine Fisheries Recommendation to the North Carolina Marine Fisheries Commission
June 3, 2019**

WHEREAS, the Southern Flounder Amendment 2 and the North Carolina Division of Marine Fisheries are recommending cutting the southern flounder harvest by 62% in 2019 and 72% in 2020;

WHEREAS, the southern flounder fishery is absolutely a cornerstone of the Ocracoke and Hyde County economy;

WHEREAS, Ocracoke Seafood is the only fish house left on Ocracoke Island and is a fishermen owned enterprise that buys fish, oysters and clams from over 30 fishermen;

WHEREAS, the income generated by sales to Ocracoke Seafood Company supports fishing families, Ocracoke's local tourism economy and Hyde County's tax revenue and sustainability;

WHEREAS, Ocracoke's tourism economy is supported by 12 restaurants which depend on fresh, local seafood to satisfy tourists craving for fresh Ocracoke seafood;

WHEREAS, fresh, wild-caught seafood is one of the top tourist attractions on Ocracoke, adding to the \$1 billion of tourist revenues North Carolina gains yearly from the coastal region;

WHEREAS, 20% of all tourists visit the coast of North Carolina specifically to eat locally caught seafood;

WHEREAS, Ocracoke Seafood Company depends on the diversity of species that the pound net harvest provides throughout the fall to stock the seafood retail and an October 17th closure will remove the primary source of wholesale landings in the months of October and November;

WHEREAS, the recommendation by the North Carolina Division of Marine Fisheries at the North Carolina Marine Fisheries Commission meeting to cut the southern flounder harvest by 62% in 2019 and 72% in 2020 with an October 17th closure to the flounder season will make Ocracoke Seafood Company unprofitable;

WHEREAS, Ocracoke Seafood Company's payroll to Ocracoke fishermen averages \$600,000 annually and supports 4 full-time employees;

WHEREAS, the income generated at Ocracoke Seafood Company is recycled into the Ocracoke economy making an exceptional impact during the winter months when jobs and tourists are non-existent;

WHEREAS, Hyde County is a Tier One, Economically Disadvantaged County and the second most impoverished county in the state of North Carolina generating its sole economic survival from agriculture, commercial fishing and tourism;

WHEREAS, the loss of Ocracoke's flounder fishery would eliminate jobs, decrease tax revenue through commercial fishing sales and erase the presence of a fish house on the Ocracoke harbor which is essential to the tourism market that has evolved from this mutually dependent relationship of tourism and fresh seafood;

WHEREAS, Ocracoke Village would not be the same without a fish house and enacting Amendment 2 would negatively affect all business on Ocracoke Island, endanger the presence of the fish house, and this is unacceptable to Ocracoke and Hyde County;

WHEREAS, the Central Region is too large and diverse in regard to flounder harvest and should be divided into two subregions to allow fishermen on the east and west sides of the Pamlico Sound equal opportunity to participate in the fall pound net fishery;

WHEREAS, over the last five years, setting pound nets along Ocracoke and Hatteras have been delayed due to hurricanes and until mid October the catch is primarily summer species including spade, butterfish and pompano;

WHEREAS, to be economically feasible, pound net fishermen need a 5-week season starting October 1st and ending after the first week of November, which allows the owner a two week period to recover the expenses of fishing and two - three weeks for the owner and crew to make a profit for the months of work it took to prepare for the fishery;

WHEREAS, Ocracoke Seafood Company is recognized as one of the Golden Leaf Foundation's most successful projects in eastern North Carolina and has been studied by multiple national organization and the Food and Agriculture Organization of the United Nations for its unique fishermen owned business model;

WHEREAS, Ocracoke Seafood Company ships seafood throughout North Carolina, specifically targets Raleigh markets and is recognized by companies and tourists who purchase seafood as one of the best examples of fresh, local North Carolina seafood;

WHEREAS, Amendment 2 and the current North Carolina Division of Marine Fisheries recommendation to the Marine Fisheries Commission will place all of the dedication, hard work and funding to rebuild the Ocracoke fish house over the last twelve years in dire economic jeopardy;

WHEREAS, the Southern Flounder Advisory Committee has recommended a 31% reduction in flounder harvest in 2019 and a 52% reduction in 2020 with that recommendation being developed through significant debate of the data and multi stakeholder input and allows commercial fishermen one year to adjust their business models that may keep a portion of the pound net fishery operational;


WHEREAS, the average age of a North Carolina commercial fisherman is approaching the mid 50's and those fishermen hold all of the capital and experience in the fishing industry and as they are continually pressured they will retire and move into other fisheries that creates additional stress on those fisheries as well while endangering the commercial fishing industry and damaging the coastal tourism industry;

WHEREAS, the mainland portion of Hyde County has already lost approximately 95% of its flounder fishery, flounder fishermen, fish houses and the economy that those supported because of restrictions that have already been placed on the fishery over the past years, skewing the numbers on the mainland to create an illusion of decreased harvests and decreased stocks because regulations have reduced the number of fishermen and the effort within the fishery;

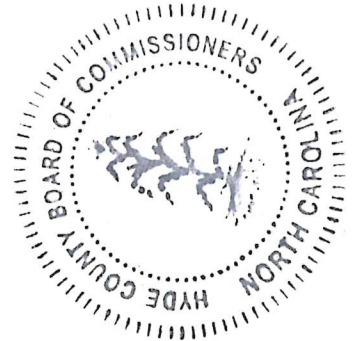
NOW, THEREFORE, BE IT RESOLVED, that the Hyde County Board of Commissioners unanimously recommend that Amendment 2 and the current North Carolina Division of Marine Fisheries recommendation to the Marine Fisheries Commission be voted against and that the two entities work to find a compromise that will rebuild the southern flounder stocks and end overfishing without destroying fishing families, fishing communities and the seafood infrastructure needed to get seafood to market in and outside of the Great State of North Carolina.

NOW, THEREFORE, LET IT FURTHER BE RESOLVED, the Hyde County Board of Commissioners unanimously recommend the North Carolina Division of Marine Fisheries and the Marine Fisheries Commission consider the adoption of the recommendation of the Southern Flounder Advisory Committee of a reduction of 31% in 2019 and a 52% reduction in 2020 with a 5-week season starting October 1st and ending after the first week of November.

Adopted this the 3rd day of June, 2019.


Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners


Lois Stotesberry, Clerk to the Board
Hyde County Board of Commissioners



Board of Commissioners

Earl Pugh, Jr., Chair
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COUNTY OF HYDE

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Clerk to the Board



RESOLUTION APPOINTING REVIEW OFFICERS

June 3, 2019

WHEREAS, pursuant to N.C. General Statute 47-30.2 Review Officer: The board of commissioners of each county shall by resolution, designate by name one or more persons experienced in mapping or land records management as a Review Officer to review each map and plat required to be submitted for review before the map or plat is presented to the register of deeds for recording;

WHEREAS, each person designated a Review Officer shall, if reasonably feasible, be certified as a property mapper pursuant to G.S. 147-54.4;

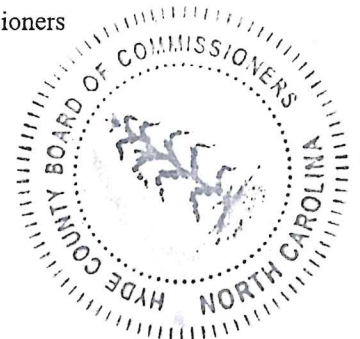
WHEREAS, a resolution designating a Review Officer shall be recorded in the county registry and indexed on the grantor index in the name of the Review Officer;

NOW, THEREFORE, BE IT RESOLVED, that the Hyde County Board of Commissioners appoint County Manager, Kris Cahoon Noble; Emergency Manager, Justin Gibbs; and Inspections Permit Officer Jane Hodges as Review Officers for Hyde County.

Adopted this the 3rd day of June, 2019.

Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners

Lois Stotesberry, Clerk to the Board
Hyde County Board of Commissioners



**HEALTHCARE FOR EASTERN NORTH CAROLINA
RESOLUTION IN SUPPORT OF HEALTHCARE FOR EASTERN NORTH CAROLINA
AND FUNDING FOR VIDANT HEALTH**

WHEREAS, the people of Hyde County and eastern North Carolina have benefited tremendously from the healthcare provided by Vidant Health in partnership with the Brody School of Medicine at East Carolina University; and

WHEREAS, Vidant Health is committed to having high quality health care services accessible to all people in rural eastern North Carolina, regardless of ability to pay; and

WHEREAS, Vidant Health encompasses Vidant Medical Center in Pitt County, as well as community hospitals in Beaufort County, Duplin County, Edgecombe County, Bertie County, Hertford County, Chowan County and Dare County, in addition to Vidant physician practices throughout eastern North Carolina. These partners join together to improve the health and well-being of eastern North Carolina; and

WHEREAS, the proposed budget by the North Carolina Senate cuts Vidant Medical Center's Medicaid Reimbursement by approximately \$35 million beginning July 1, 2019; and

WHEREAS, this would be in addition to the \$38 million annual cut to Vidant resulting from changes to the State Health Plan taking effect on January 1, 2020; and

WHEREAS, together, this \$73 million cut equates to about three percent of the annual operating budget, which is more than Vidant's operating margin for FY 2018. These cuts will eliminate 100% of the system's bottom line; and

WHEREAS, Vidant Health remains and will continue to serve as the primary affiliated teaching hospital for the Brody School of Medicine at East Carolina University.

NOW THEREFORE BE IT RESOLVED, that the Hyde County Board of Commissioners opposes cuts to funding for Vidant Health as the teaching hospital for the Brody School of Medicine at East Carolina University, and urges the North Carolina General Assembly to keep in place funding necessary to assure access to high quality healthcare for all people in eastern North Carolina; and

BE IT FURTHER RESOLVED, that all counties in eastern North Carolina that benefit from the services offered by Vidant Health and its partners are urged to adopt a similar resolution to send to their legislative delegations; and

BE IT FURTHER RESOLVED, that this resolution be immediately sent to all members of the North Carolina General Assembly and the Governor.

Adopted this the 3rd day of June, 2019.

Attest:


Lois Stotesberry, CMC, NCCC
Clerk to the Board




Earl Pugh, Jr., Chairman
Hyde County Board of Commissioners